

### REMARKS

This application has been reviewed in light of the Office Action dated March 27, 2003. Claims 12-24 are presented for examination. Claims 12, 14 and 16-22 have been amended to define more clearly what Applicants regard as their invention. Claims 23 and 24 have been added to provide Applicants with a more complete scope of protection. Claims 12 and 18-24 are in independent form. Favorable reconsideration is requested.

Claims 12-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,478,858 (Ohtsuka et al.).

As is discussed in more detail in the present application, the present invention has as an aim to control the condition of a source device or an output device so as to maximize the effect of the conversion process performed on image information, based on a profile provided for that purpose. To achieve this objective, according to the present independent claims, the profile is generated based on the device characteristic, and the device characteristic itself changes according to the condition set in the device. By controlling the device under the condition according to the profile, it is possible to obtain a high-accuracy conversion process result.

For example, independent Claims 12 is directed to an image processing apparatus that comprises means for inputting input image data from a source device having a function for adjusting an image processing condition on a basis of an instruction of a user, and means for converting the input image data to device independent image data by using a profile of the source device. Also provided are means for setting a standard condition corresponding to the profile as an image processing condition of the source device, and according to Claim 12, under the standard condition set by the setting means, the converting means performs conversion by using the profile of the source device the input image data processing by the source device.

Similarly, independent Claim 18 is directed to an image processing apparatus that comprises means for converting input image data by using an input profile of a source device and an output profile of an image output device, and means for outputting the converted image data to the image output device having a function for adjusting an image output condition on a basis of an instruction of a user, as well as means for setting a standard condition corresponding to the output profile as an image output condition of the image output device. Also, according to Claim 18, the output means processes the converted image data by using the standard condition set by the setting means.

In contrast, *Ohtsuka* relates to a method which is in an important way the opposite of that adopted in the aspects of the invention to which the respective independent claims are directed. That is, in the *Ohtsuka* approach, the conversion condition to be used in the conversion means (converter 26, see Fig. 1) is generated according to the device condition (see generators 20, 22 and 24). In summary, according to the present independent claims, the device setting is performed *according to the profile*, while the profile is generated *according to the device setting* in *Ohtsuka*.

As a result, the aspects of the invention that are recited in independent Claims 12 and 18 are not disclosed or suggested by *Ohtsuka*, and those claims are therefore believed to be in condition for allowance.

Independent Claims 19 and 20 are method and memory-medium claims corresponding to apparatus Claim 12, and Claims 21 and 22 are method and memory-medium claims corresponding to Claim 18. Moreover, independent Claims 23 and 24 are similar respectively to Claims 12 and 18 but do not use means-plus-function language. All of these claims are thought to be allowable for substantially the same reasons as are Claims 12 and 18.

